Practitioner's Docket No. 2003-IP-010496U1 **PATENT**

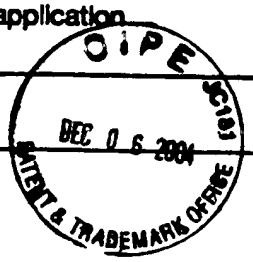
1 Fw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____ Inventor(s)

for _____ Title of Invention



OR

In re application of: Bradley L. Todd, et al

Application No.: 10 / 765,334 Group Art Unit:
Filed: 01/27/04 Examiner:
For: Fluid Loss Control Additives for Use in Fracturing Subterranean Formations

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

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Tammy Knight
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** Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

NOTE: 37 C.F.R. 1.98(b):

(1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.

(2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.

(3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.

(4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.

(5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: *No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

***WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.*

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Bradley L. Todd, et al	)	
		)	Art Unit: Unknown
Serial No.:	10/765,334	)	
		)	
Filed:	01/27/2004	)	Examiner: Unknown
		)	
For:	Fluid Loss Control Additives for Use in Fracturing Subterranean Formations	)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

U. S. PATENTS

U.S. Patent Number 2,703,316 issued 03/01/55 to Bentley J. Palmer;

U.S. Patent Number 3,272,650 issued 09/13/66 to Russell L. MacVittie;

U.S. Patent Number 3,819,525 issued 06/25/74 to David L. Hattenbrun;

U.S. Patent Number 3,912,692 issued 10/14/75 to Donald James Casey, et al;

U.S. Patent Number 4,172,066 issued 10/23/79 to Maurice L. Zweigle, et al;

U.S. Patent Number 4,460,052 issued 07/17/84 to Judith Gockel;

U.S. Patent Number 4,498,995 issued 02/12/85 to Judith Gockel;

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U.S. Patent Number 4,797,262 issued 01/10/89 to Thomas S. Dewitz;

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U.S. Patent Number 5,216,050 issued 06/01/93 to Richard G. Sinclair;

U.S. Patent Number 5,249,628 issued 10/05/93 to Jim B. Surjaatmadja;

U.S. Patent Number 5,295,542 issued 03/22/94 to R. Clay Cole, et al;

U.S. Patent Number 5,325,923 issued 07/05/94 to Jim B. Surjaatmadja, et al;

U.S. Patent Number 5,330,005 issued 07/19/94 to Roger J. Card, et al;

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U.S. Patent Number 5,964,291 issued 10/12/99 to Hugh M. Bourne, et al;

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U.S. Publication Number 2004/0055747 A1 published 03/25/04 by Li-Jien Lee;

U.S. Publication Number 2004/0106525 A1 published 06/03/04 by Dean Willberg, et al;

U.S. Publication Number 2004/0138068 A1 published 07/15/04 by Brett Rimmer, et al;

U.S. Publication Number 2004/0152601 A1 published 08/05/04 by John W. Still, et al;

U.S. Publication Number 2004/0152602 A1 published 08/05/04 Joel Lynn Boles.

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Cobra Frac℠ Service, Coiled Tubing Fracturing—Cost-Effective Method for Stimulating Untapped Reserves HO2319R, published 2000 Halliburton Energy Services, Inc;

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Copies of the aforementioned non-patent references and Form PTO-1449 are submitted herewith.

Respectfully submitted,

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PTO-1449 Information Disclosure Citation in an Application	Application No. 10/765,334	Applicant(s) Bradley L. Todd, et al	
	Docket Number 2003-IP-010496U1	Group Art Unit	Filing Date 01/27/2004

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		3,912,692	10-14-75	Casey *et al.*	260	78.3	09-24-74
		4,172,066	10-23-79	Zweigle *et al.*	260	29.6TA	09-26-77
		4,460,052	07-17-84	Gockel	175	72	08-10-81
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		5,295,542	03-22-94	*Cole, et al.*	166	278	10-05-92
		5,325,923	07-05-94	Surjaatmadja, *et al.*	166	308	09-30-93
		5,330,005	07-19-94	Card, *et al.*	166	280	04-05-93
		5,360,068	11-01-94	Sprunt, *et al.*	166	259	04-19-93
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		5,386,874	02-07-95	Laramay, *et al.*	166	300	11-08-93
		5,396,957	03-14-94	Surjaatmadja, *et al.*	166	308	03-04-94
		5,402,846	04-04-95	Jennings, Jr., *et al.*	166	259	11-15-93
		5,464,060	11-07-95	Hale, *et al.*	166	293	04-12-94
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		5,499,678	03-19-96	Surjaatmadja, *et al.*	166	298	08-02-94

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449	Application No. 10/765,334	Applicant(s) Bradley L. Todd, et al	
Information Disclosure Citation in an Application	Docket Number 2003-IP-010496U1	Group Art Unit	Filing Date 01/27/2004

U.S. PATENT DOCUMENTS

		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
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		5,833,000	11-10-98	Weaver, *et al.*	166	276	02-18-97
		5,853,048	12-29-98	Weaver, *et al.*	166	279	04-21-98
		5,893,416	04-13-99	Read	166	304	11-28-97
		5,964,291	10-12-99	Bourne, *et al.*	166	279	02-28-96
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		6,024,170	02-15-00	McCabe, *et al.*	166	300	06-03-98
		6,028,113	02-22-00	Scepanski	514	643	09-27-95
		6,123,965	09-26-00	Jacob, *et al.*	424	489	08-18-98
		6,135,987	10-24-00	Tsai, *et al.*	604	365	12-22-99
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		6,214,773 B1	04-10-01	Harris, et al.	507	271	09-29-99
		6,260,622 B1	07-17-01	Blok, *et al.*	166	305.1	12-23-98
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		6,422,314 B1	07-23-02	Todd, *et al.*	166	312	08-01-00
		6,454,003 B1	09-24-02	Chang, *et al.*	166	270	06-14-00
		6,488,763 B2	12-03-02	Brothers, *et al.*	106	692	10-05-01
		6,494,263 B2	12-17-02	Todd	166	312	01-09-01
		6,527,051 B1	03-04-03	Reddy, *et al.*	166	300	07-12-02
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PTO-1449	Application No. 10/765,334	Applicant(s) Bradley L. Todd, et al	
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		6,667,279 B1	12-23-03	Hessert, *et al.*	507	225	11-13-97
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		US 2004/0152602A1	08-05-04	Boles	507	100	01-15-04

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		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION Yes	TRANSLATION No
		WO 01/87797 A1	11-22-01	PCT	C04B	28/02	X	
		WO 03/027431 A2	04-03-03	PCT	E21B	-	X	
		WO 03/027431 A3	04-03-03	PCT	E21B	43/26	X	
		EP 0 510 762 A2	04-16-92	Europe	C11D	17/00	X	

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		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION Yes	TRANSLATION No

NON-PATENT DOCUMENTS

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	
		Love, et al, *Selectively Placing Many Fractures in Openhole Horizontal Wells Improves Production*, SPE 50422, Society of Petroleum Engineers, 1998	
		McDaniel, et al, *Evolving New Stimulation Process Proves Highly Effective in Level 1 Dual-Lateral Completion*, SPE 78697, Society of Petroleum Engineers, 2002	
		Albertsson, et al, *Aliphatic Polyesters: Systhesis, Properties and Applications*, Advances in Polymer Science, Vol. 157, 2002	
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		Funkhouser, et al, *Synthetic Polymer Fracturing Fluid for High-Temperature Applications*, SPE 80236, Society of Petroleum Engineers, 2003	
		Chelating Agents, Encyclopedia of Chemical Technology, Vol. 5 (764-795)	
		Vichaibun, et al, *A New Assay for the Enzymatic Degradation of Polylactic Acid, Short Report*, ScienceAsia, Vol. 29, 2003 (pp. 297-300)	
		Halliburton, *SurgiFrac℠ Service, A Quick and Cost-Effective Method to Help Boost Production From Openhole Horizontal Completions, Halliburton Communications*, HO3297, 2002	
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		Blauch, et al, *Aqueous Tackifier and Methods of Controlling Particulates*, Patent Application No. 10/864,061, filed 06-09-04	
		Blauch, et al, *Aqueous-Based Tackifier Fluids and Methods of Use*, Patent Application No. 10/864,618, filed 06-09-04	

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.